

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

DELAWARE HEALTH  
CORPORATION,

Plaintiff,

v.

MICHAEL O. LEAVITT,

Defendant.

CIV. NO. 07-829-SLR

\* \* \* \* \*

**ORDER**

Upon consideration of the Cross Motions for Summary Judgment on behalf of Delaware Health Corporation, t/a Harbor Healthcare & Rehabilitation Center (“Harbor”) and the Motion for Summary Judgment on behalf of Michael O. Leavitt (“Leavitt”), the oppositions by the parties thereto, the arguments of counsel, and the applicable law, it is this \_\_\_\_ day of \_\_\_\_\_, 2008,

ORDERED:

- (1) That the Motion for Summary Judgment filed by Harbor be and hereby is granted;
- (2) That the ruling of the Secretary of the Department of Health and Human Services be and hereby is reversed and the Revised Notices of Final Settlement issued on October 23, 2003 be and hereby are denied;
- (3) That the Leavitt Motion for Summary Judgment be and hereby is denied.

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United States District Judge